

BAKER DECLARATION

EXHIBIT AJ

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THE STATE OF WASHINGTON,)
Plaintiff,)
vs.) No. 3:17-cv-05806-RJB
THE GEO GROUP, INC.,)
Defendant.)

DEPOSITION UPON ORAL EXAMINATION
OF
LEONARDO JARAMILLO

1:36 p.m.
June 18, 2019

OFFICE OF THE ATTORNEY GENERAL
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REPORTED BY: JACQUELINE L. BELLOWS, CCR 2297



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1 Corporation, CSE.

2 Q. Your position after 2002?

3 A. We had a new building built in Tacoma. And we
4 moved from Seattle to Tacoma. And I was given a
5 position as segregation lieutenant.

6 Q. I'm sorry. "Segregation lieutenant;" is that
7 correct?

8 A. Yes, ma'am.

9 Q. What year was that?

10 A. 2004, I believe.

11 Q. So in 2000 -- just so I make sure I get this
12 right. In 2004 your work moved to the Northwest
13 Detention Center in Tacoma?

14 A. Yes, ma'am.

15 Q. When you moved your position to the Northwest
16 Detention Center, you changed your position to
17 segregation lieutenant; is that correct?

18 A. I was moved to segregation lieutenant.

19 Q. How long were you the segregation lieutenant?

20 A. I couldn't give you the exact time because at
21 some point between there, I was -- I took a lieutenant's
22 position as one of the shift lieutenants. And I
23 couldn't tell you when that was.

24 Q. Do you think it was 2005?

25 A. I couldn't tell you.



1 Q. Your next position after being a segregation
2 lieutenant was?

3 A. A shift lieutenant.

4 Q. A shift lieutenant? Okay. Did you have any
5 positions at the Northwest Detention Center other than
6 shift lieutenant?

7 A. No. Well, yes. After the lieutenant's
8 position, I was promoted to captain in 2010. And I was
9 the captain there till 2011 when I resigned and left
10 Geo.

11 Q. So you resigned in 2011; is that correct?

12 A. Yes, ma'am.

13 Q. Were you ever the chief of security for the
14 Northwest Detention Center?

15 A. Yes. The name changed. Or the position name
16 changed, I believe before I left, to where I was -- it
17 was chief of security. They gave it the major's
18 position, major/chief of security.

19 Q. Do you know when you were major/chief of
20 security?

21 A. Till the time I left.

22 Q. When did you begin your position as major and
23 chief of security?

24 A. It could have been between 2010, 2011, 'cause I
25 left as chief of security in 2011.



1 Q. I just want to make sure I get this right. So
2 at the Northwest Detention Center you held four
3 positions: Segregation lieutenant, shift lieutenant,
4 captain, then major and chief of security; is that
5 correct?

6 A. Yes, ma'am.

7 Q. I wanted to get a bit of information about
8 each of those positions and what your responsibilities
9 were in relation to the Voluntary Work Program. Let's
10 start with the segregation lieutenant. When you were
11 the segregation lieutenant, did you have any
12 responsibilities related to the Voluntary Work Program?

13 A. No.

14 Q. What were your duties as a segregation
15 lieutenant?

16 A. To maintain the segregation area.

17 Q. When you say "maintain the segregation area,"
18 can you please describe that.

19 A. Just monitor the officers and the detainees,
20 make sure that they were -- everybody that came in was
21 offered everything that's allowed in the unit. So if
22 they were there for a period of however long their
23 sentence was in segregation, then -- so we housed them
24 in segregation. And we released them from segregation
25 back to general population.



1 Q. Do you know if there were individuals who were
2 ever sentenced to segregation for incidents that arose
3 out of their work in the Voluntary Work Program?

4 A. Not that I recall.

5 Q. Your next position was as shift lieutenant; is
6 that correct?

7 A. Yes.

8 Q. What were your duties and responsibilities
9 related to the Voluntary Work Program as a shift
10 lieutenant?

11 A. I don't understand what you're asking.

12 Q. In your position as a shift lieutenant, did
13 you have any responsibilities for overseeing or
14 implementing the Voluntary Work Program?

15 A. I don't -- I'm not understanding what
16 "implementing" . . .

17 Q. Sure. So let me ask again. In your role as a
18 shift lieutenant, did you supervise detainee workers?

19 A. Yes.

20 Q. Can you please describe what you did in
21 supervising detainee workers?

22 A. Just make sure that they performed their
23 duties as required for the task at hand, make sure they
24 had their supplies and everything they needed.

25 Q. When you say "make sure they had their



1 supplies," can you tell me what you mean by that?

2 A. Well, if we had detainees that were, say,
3 floor crew, sweeping and mopping the hallways and
4 buffing and stripping the floors, that they had
5 everything that was needed to accomplish the task to
6 make sure that they were okay.

7 Q. Did you supervise detainee workers who were
8 working in the pods, their living areas?

9 A. Personally as a lieutenant, no.

10 Q. Did you supervise -- you said you supervised
11 floor workers; is that correct?

12 A. If they were out on the floor and I could be
13 able to help monitor detainees 'cause my office was
14 on -- in the hallways. And I could step out if I needed
15 to relieve an officer.

16 Q. Did you supervise detainee workers who were
17 painting, also, when you were a shift lieutenant?

18 A. In the hallways, yes.

19 Q. Were there any other detainee workers that you
20 personally supervised when you were a shift lieutenant?

21 A. I could probably -- I probably went into the
22 laundry room where detainees are working in the laundry.
23 If the officer had to go to the bathroom and he didn't
24 have anyone else available, I would always step in and
25 help.



1 Q. You mentioned floor crew. Can you please tell
2 me what work detainee workers perform when they are
3 working in the floor crew?

4 A. Sweeping, mopping, stripping, and buffing or
5 waxing floors.

6 Q. Can you tell me what you mean by "stripping"
7 the floor?

8 A. When the floors -- at some point the floors
9 will get -- start to get dirty and so forth which means
10 that the stain was -- the wax was probably going after
11 so many mops and stuff. So they were stripping because
12 of the floor's not all looking good, you know. So the
13 wax was peeling away. So they'd strip it and take all
14 the old wax off. And . . .

15 Q. How would they strip the floor?

16 A. With the strippers. They had floor strippers.

17 Q. I don't know what a floor stripper is. Can
18 you please tell me.

19 A. It's a big machine with brushes on the bottom
20 of it.

21 Q. So it's a large machine that --

22 A. It's just a machine that they put -- and it
23 has, like, brushes on the bottom. They would put
24 whatever was needed to strip the floors and spray the
25 floors or whatever. Then they'd just start stripping



1 it, take the old coat off.

2 Q. So the detainee workers would spray chemicals
3 onto the floor and then use a machine to strip the
4 floor?

5 A. It could be floor stripper. Or it could just
6 be soap and water.

7 Q. Do you know how many hours the detainee
8 workers would work to strip the floors?

9 A. No.

10 Q. Do you think it was more than two hours that
11 they worked to strip the floors?

12 A. I couldn't tell you 'cause that was generally
13 done on the night shift. So I couldn't tell you.

14 Q. Was this something that was performed every
15 day?

16 A. No.

17 Q. Was it as per needed?

18 A. As needed.

19 Q. And who made the decision that the floors
20 needed to be stripped?

21 A. I couldn't tell you where the order would come
22 from. There were people above me that would make a
23 decision on when we needed to get it done.

24 Q. You also mentioned that detainee workers in
25 the floor crew would buff the floor. How is that



1 different than stripping the floor?

2 A. Well, buffing the floor, you're just
3 putting -- spraying it with -- it could be whatever
4 solution. I couldn't tell you what it was. But they
5 sprayed the floor. And they just take -- the buffers
6 will have a buffing pad on the bottom of it. Instead of
7 the brushes to peel stuff off, they put pads on the
8 bottom. And they would take a spray, then just take
9 that same machine and just start buffing the floors.
10 They're basically polishing the floors.

11 Q. So the detainee workers would spray chemicals
12 onto the floor. And then they used the same machine as
13 the stripper, but it would have a different --

14 A. Pad.

15 Q. -- pad on the bottom?

16 A. Uh-huh.

17 Q. Then they use that to buff the floors?

18 A. They'd use that. Then they'd just buff the
19 floor until it shines.

20 Q. Is that the same for waxing the floor, too?
21 Is that the process that detainee workers --

22 A. Waxing would -- a lot of times, would be just
23 taking -- you could take an old rag on a mop handle and
24 put it on there. And they slowly just start adding wax.

25 Q. When the detainee workers handle the



1 chemicals, do they have to wear protective gear like
2 gloves or masks?

3 MS. ASAI: Object to the form.

4 A. No. They really never touched anything.

5 Q (By Ms. Baker) How were -- do you remember how
6 detainee workers were trained to do that work?

7 A. Whoever -- I couldn't recall who, who was
8 assigned the training or dealt with the training. But
9 in my experience, a lot of detainees, that was their job
10 on the outside. So they knew what to do. They'd come
11 and tell you what they could do.

12 Q. Okay. So they were familiar with it because
13 they had done that work on the outside before coming to
14 the Northwest Detention Center?

15 A. Right.

16 Q. They had those skills already?

17 A. The knowledge.

18 Q. Do you recall whether or not, like the
19 detainees who worked the floor crew, if they were given
20 a food or snacks for their work at night?

21 A. Yeah. At times they would get a sack lunch at
22 the end of the night. At the end of whatever they were
23 doing, they'd get a sack lunch.

24 Q. Also were they paid a dollar?

25 A. They were paid as well.



1 Q. So they received a dollar through the payment,
2 the voluntary work payment, and then also a sack lunch?

3 A. Uh-huh.

4 Q. So detainees never -- you said that some --
5 the detainees who worked on the floor crew, they came
6 from the outside and they had experience with
7 maintaining floors, buffing and stripping. Did the
8 detainee workers ever make the decision that the floors
9 needed to be stripped or buffed or waxed?

10 MS. ASAI: Object to the form.

11 A. A lot of times, the detainees, being that they
12 had the experience, they'd tell us, if we do this
13 first -- but yeah, they would tell us.

14 Q. But the decision that, like, it was time to,
15 like, get a crew together, that came from somewhere
16 above you in the Geo hierarchy?

17 A. I don't make the decision.

18 Q. And the detainee workers don't make that
19 decision; right?

20 A. No.

21 Q. You talked also about painting, that you
22 supervised detainees who painted. Can you tell me what
23 you mean by that?

24 A. Well, when there was painting that needed to
25 be done, we'd get volunteers; and they'd paint. Either



1 that's what we gave them. But it wasn't ever nothing
2 to -- as an encouragement to go to work.

3 Q. Did you ever hear detainees complain that the
4 dollar-a-day payment was not enough or it was
5 insufficient?

6 A. Not in my lifetime.

7 Q. Really? Okay. So I was asking about your
8 role as a shift lieutenant. Your next position was as a
9 captain. Did you have different responsibilities
10 regarding supervising detainee workers in the Voluntary
11 Work Program when you were a captain than when you were
12 a shift lieutenant?

13 A. No. Because I came in with the work incentive
14 of I am no different than you. And I wouldn't be
15 different from any detainee, never different from an
16 officer. I did what the officers did. I did what
17 detainees do. I was never different and never put
18 myself above them.

19 Q. Did you train Geo officers to supervise
20 detainee workers in the Voluntary Work Program?

21 A. No. They knew what to do.

22 Q. So if a new Geo officer, you know, came into
23 the facility, how would they know how to supervise a
24 detainee in the Voluntary Work Program?

25 A. All new officers coming into the facility go



1 through the academy. It's a five-week academy. So a
2 lot of this is brought out during the academy.

3 Q. During the academy Geo officers are trained
4 how to supervise detainee workers?

5 A. That's their job.

6 Q. Their job is to supervise detainee workers?

7 A. Especially if you're a unit officer, you're
8 going to be working, supervising detainees in all
9 aspects of whatever it is.

10 Q. Why is that?

11 A. It's their job. It's what they were hired
12 onto. They were hired to -- part of our job is direct
13 supervision.

14 Q. Direct supervision of detainee workers?

15 A. Any detainee, direct supervision.

16 Q. Did you ever directly supervise detainee
17 workers in the pods or living areas?

18 A. When I was an officer.

19 Q. But that was not at the Northwest Detention
20 Center; is that correct?

21 A. Yes, it was.

22 Q. You were an officer at the Northwest Detention
23 Center?

24 A. Yes, I was.

25 Q. What years was that?



1 A. Yes, ma'am.

2 Q. And from August 2012 to --

3 A. To now?

4 Q. Okay.

5 A. I resigned, retired, from Geo in March of
6 2017.

7 Q. March of 2017. Okay. So from July of 2012 to
8 March of 2017, what positions did you hold?

9 A. Officer and chief of security.

10 Q. So you were chief of security?

11 A. Let me rephrase. Officer, captain, chief of
12 security.

13 Q. I'm just going to clarify this. You were the
14 captain in 2010 and 2011. And you again served as
15 captain when?

16 A. I couldn't give you an exact date.

17 Q. What years, do you think?

18 A. I couldn't tell you.

19 Q. After 2012, though?

20 A. Yes.

21 Q. Then you served as chief of security right
22 before you resigned in 2011 and again between 2012 and
23 2017; is that right?

24 A. (Nodding.)

25 Q. Do you know when?



1 A. 2012 I came back as an officer. I was
2 captain -- I'm not going to guess on a date. I couldn't
3 guess.

4 Q. So earlier you were saying that you observed
5 floor crews and you supervised floor crews. Did you do
6 that between 2012 and 2017?

7 A. Yes.

8 Q. You also earlier said that you supervised
9 detainee workers who were painting in the facility. Did
10 you do that between 2012 and 2017?

11 A. Yes.

12 Q. And to your knowledge, were detainee workers
13 painting in the facility as part of their work in the
14 Voluntary Work Program when you resigned in 2017?

15 A. Repeat that.

16 Q. Do you know whether or not detainee workers
17 were painting in the facility as part of their work when
18 you resigned in 2017?

19 A. Yes.

20 Q. Did you have responsibility for hiring
21 detainees to perform work in the Voluntary Work Program?

22 MS. ASAI: Object to the form.

23 A. Not personally responsible. Because you had
24 supervisors, and the supervisor had staff. So as
25 part -- and officers under them. There could be times



1 where I may be in the on the weekend, working, or even
2 during the week. And if I'm making my walks through the
3 facility, which I was required to walk the facilities
4 every day, see how things were going in the units, I
5 would approach detainees.

6 If I see that a room needed painting and the
7 officer hasn't taken the initiative to get painters, I
8 would take the initiative and ask: Does anybody know
9 how to paint? And I'd have a lot of volunteers. I'd
10 ask them if they could paint because we had to have
11 stairs painted and the unit needed painting. And they
12 would -- I had one tell me. He said, Yeah, that's what
13 I did on the outside; I love to paint. I said Okay, I'd
14 appreciate it. He said, Can I get my partner to work
15 for me, have my partner working with me? I said, Sure,
16 whatever you got. I appreciate it.

17 So as I'm walking through the unit to go to
18 the officer with these detainees that wanted to paint, I
19 told him, I'll make sure that you get paint cart with
20 everything you need the color of this room. And they're
21 volunteering to paint.

22 Q (By Ms. Baker) What's the paint cart?

23 A. There's a cart that has -- there are several
24 carts within the facility because every unit didn't have
25 the exact, same color. So we'd make sure that they



1 would get the cart that has the paints they need that's
2 in their unit.

3 Q. So on the cart, there would be paint that
4 matched the walls of a particular unit.

5 A. The walls, the stairwell, yes.

6 Q. Then there would be rollers?

7 A. Rollers, paint brushes, tape. The same things
8 we use on the outside.

9 Q. Painting is painting.

10 A. And then make sure they get it. And, as I'm
11 walking through with these guys, I had another one in
12 the same unit approach me say, Can I buff the floors?
13 I'd love to buff the floors. I said: Do you know how
14 to buff the floors? He goes: I do. Okay. Anything
15 that you guys want to do in here, feel free. Just let
16 the officer know. He said okay.

17 Q. Was the painting and the buffing of the
18 floors, did that occur at night?

19 A. The floors probably would have been done on
20 the night shift because -- make sure that it doesn't
21 keep people awake or it's done prior to night or during
22 night when everybody -- the hallway's done mostly at
23 night because there's no movement. Everybody's in bed.
24 And during the day, we -- on day shift and swing shift,
25 prior to bedtime, we could have them tape off an area



1 Q. Were detainees every terminated from the
2 Voluntary Work Program?

3 A. No. I couldn't remember. I couldn't tell
4 you. I don't recall.

5 Q. You don't recall if a detainee didn't perform
6 well, were they allowed to continue doing the work in
7 the Voluntary Work Program?

8 A. If they weren't doing well, we'd get a report
9 from the officer. And okay, we'll just need to make
10 sure to let somebody know.

11 Q. What would happen when you let somebody know?

12 A. Either the detainee would get replaced by the
13 next person in line.

14 Q. How would you assess if a detainee was doing
15 their work well in the VWP?

16 A. From the officers that supervised them.

17 Q. So that would mean an officer that was
18 supervising the detainee worker would assess whether or
19 not their work was meeting a particular standard?

20 A. The standard, yup.

21 Q. If their work wasn't meeting a particular
22 standard, then they would be either -- they would be
23 encouraged to improve their work or they'd be
24 terminated?

25 MS. ASAI: Hold up. Hold up. Object to the



1 form.

2 A. They'd be given the opportunity. They'd show
3 them again how it's done. If they still weren't getting
4 it and weren't capable of that, then of course we'd get
5 somebody new.

6 Q (By Ms. Baker) Was there a process for getting
7 someone new or for terminating detainee workers from the
8 Voluntary Work Program?

9 MS. ASAI: Object to the form.

10 A. There was a list that was created and -- on
11 how -- on -- when they volunteered and a request was
12 sent in they wanted to work, they'd be put on. Whatever
13 detail they were wanting to do, they'd get put on the
14 list. And as the detainees either quit or booked out,
15 then we'd get somebody new that's on the list.

16 Q (By Ms. Baker) Were detainees expected to work
17 seven days a week as part of the Voluntary Work Program?

18 A. Not that I recall.

19 Q. Do you know what their schedules were?

20 A. Well, there was a work schedule of when they
21 were to come out if they were needed.

22 Q. When you say there's a "work schedule," can
23 you tell me what you mean by that?

24 A. Well, there's days where a schedule of
25 detainees in the -- it could be, say, we're going to



1 want to do it anymore.

2 Q. This is -- if a detainee wants to quit their
3 job, this is what they would fill out?

4 A. Correct.

5 Q. If a detainee quit a job or signed a Refusal
6 Work form, would that impact their ability to get
7 another position in the Voluntary Work Program?

8 A. They'd have to start -- it was the same
9 procedure as it was in the beginning: Submit a request
10 to the classification officer of wanting to work
11 somewhere else. And it would be their decision, not
12 mine.

13 Q. The classification officer, that's a Geo
14 officer; is that right?

15 A. Yes.

16 Q. Did ICE have any involvement in assigning
17 detainee workers to positions in the Voluntary Work
18 Program?

19 A. No.

20 Q. Did ICE have any input in terminating a
21 detainee from the Voluntary Work Program if their work
22 wasn't up to par?

23 A. No.

24 Q. Do you know how positions were created in the
25 Voluntary Work Program?



1 issue. And if they want to work, they'll come out and
2 work. It didn't matter what other detainees did. If we
3 didn't get anybody, then we would make sure the
4 detainees got fed.

5 Q. Right. So that means that Geo workers would
6 have to work in the kitchen to make the food?

7 A. Yes, ma'am.

8 Q. Do you recall an incident where that occurred,
9 where Geo workers had to make the food because detainee
10 workers had stopped working in the kitchen?

11 A. We had one. I can't tell you when.

12 Q. Do you recall whether or not food was delayed
13 in getting out to the detainees?

14 A. No.

15 Q. Do you recall whether or not there was
16 overtime that was incurred from the Geo workers?

17 A. No.

18 Q. Do you know whether or not any -- to your
19 knowledge, were you -- did you participate in any
20 detainee being subject to discipline under this 214 for
21 encouraging people to participate in a work stoppage?

22 A. No.

23 Q. Did you have any role in training detainee
24 workers to do their -- to perform their work in the
25 Voluntary Work Program?



1 A. Only as unit officer.

2 Q. Can you tell me what that training looked
3 like, what your role looked like in that?

4 A. How to use a paint brush and a roller, mask
5 off.

6 Q. Could you tell me, like, what do you mean by
7 "mask off"?

8 A. Tape off what you don't want painted.

9 Q. So you tell the detainee workers that they
10 needed to paint a particular wall. And then you'd teach
11 them how to mask off the areas that you didn't want
12 painted a particular color?

13 A. Correct.

14 Q. Would you also teach them how to use the
15 tools?

16 A. If they didn't know how, yes.

17 Q. Were there any other positions in the unit
18 that you trained detainee workers to perform?

19 A. No.

20 Q. So if a detainee worker was supposed to go
21 wash the showers, what training would you provide for a
22 new detainee worker whose jobs it was to wash the
23 shower?

24 A. I'd give them a brush and a soap bucket. And
25 at times it could be a little scrub brush to scrub the



1 Center?

2 A. No.

3 Q. Did ICE review your performance as a Geo
4 officer at the Northwest Detention Center?

5 A. No.

6 Q. Did ICE give you directives regarding the
7 Voluntary Work Program at the Northwest Detention
8 Center?

9 A. No.

10 Q. Did ICE provide you input or information
11 regarding detainee workers and their participation in
12 the Voluntary Work Program?

13 A. No.

14 Q. Are you aware of ICE participating or ICE
15 providing Geo guidance regarding the Voluntary Work
16 Program?

17 A. No.

18 Q. Are you aware of ICE directing Geo to create
19 certain positions in the Voluntary Work Program?

20 A. No.

21 Q. Are you aware of ICE setting any of the hours
22 that detainee workers worked in the Voluntary Work
23 Program?

24 A. No.

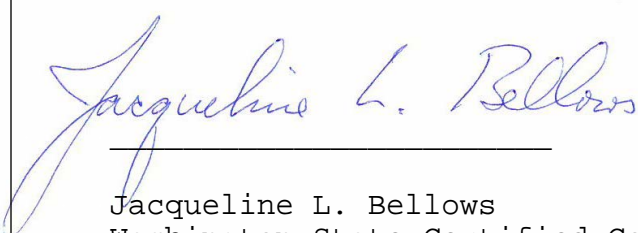
25 Q. Do you know an ICE agent by the last name of



REPORTER'S CERTIFICATE

I, JACQUELINE L. BELLOWS, the undersigned
Certified Court Reporter pursuant to RCW 5.28.010 authorized
to administer oaths and affirmations in and for the State of
Washington, do hereby certify that the sworn testimony
and/or proceedings, a transcript of which is attached, was
given before me at the time and place stated therein; that
any and/or all witness(es) were duly sworn to testify to the
truth; that the sworn testimony and/or proceedings were by
me stenographically recorded and transcribed under my
supervision, to the best of my ability; that the foregoing
transcript contains a full, true, and accurate record of all
the sworn testimony and/or proceedings given and occurring
at the time and place stated in the transcript; that a
review of which was requested; that I am in no way related
to any party to the matter, nor to any counsel, nor do I
have any financial interest in the event of the cause.

WITNESS MY HAND AND DIGITAL SIGNATURE this
22nd day of June, 2019.



Jacqueline L. Bellows
Washington State Certified Court Reporter, No. 2297
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